


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY  D.C.  
05 SEP -6 PM 3: 07

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHIS

ELLIPSIS, INC.,

Plaintiff,

v.

No. 03-2939 B

THE COLOR WORKS, INC.,

Defendant.

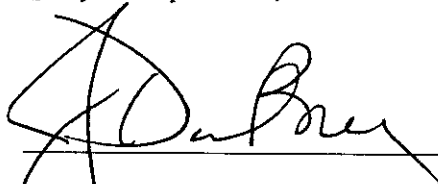
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ORDER DISMISSING PLAINTIFF AND THIRD PARTY DEFENDANT'S OBJECTIONS TO  
MAGISTRATE JUDGE'S ORDER AS MOOT

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On August 11, 2005, Magistrate Judge Diane Vescovo entered an order denying the motion of the Plaintiff, Ellipsis, Inc. ("Ellipsis") and Third Party Defendant, Elizabeth Wade ("Wade"), to extend the Rule 16(b) scheduling order. Following entry of the order, objections were filed by Ellipsis and Wade to which Defendant, The Color Works, Inc. responded. On August 19, 2005, the Plaintiff and Third Party Defendant filed a Notice informing the Court of their withdrawal of objections to the magistrate judge's Order, rendering the Objections moot. Accordingly, the Plaintiff's objections are DISMISSED as moot and the magistrate judge's order is AFFIRMED.

IT IS SO ORDERED this 6<sup>th</sup> day of September, 2005.

  
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J. DANIEL BREEN

UNITED STATES DISTRICT JUDGE

This document entered on the docket sheet in compliance  
with Rule 58 and/or 79(a) FRCP on 9-7-05

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## Notice of Distribution

This notice confirms a copy of the document docketed as number 170 in case 2:03-CV-02939 was distributed by fax, mail, or direct printing on September 7, 2005 to the parties listed.

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Honorable J. Breen  
US DISTRICT COURT